

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

TONY KOLE, individually and as President
and Manager of Ghost Industries, LLC, and
GHOST INDUSTRIES, LLC, an Illinois
limited liability company,

Plaintiffs,

v.

VILLAGE OF NORRIDGE, an Illinois
municipal corporation, RONALD A.
OPPEDISANO, individually and as President
of the Village of Norridge, JAMES J. JOBE,
Chief of Police of the Village of Norridge,
JUDITH D. BERNARDI, Clerk of Village of
Norridge, URSULA A. KUCHARSKI,
DENNIS H. STEFANOWICZ, DOMINIC
SULIMOWSKI, DOMINIC S. FALAGARIO,
JACQUELINE GREGORIO, AND ROBERT
MARTWICK, individually and as Trustee of
the Village of the Norridge and MARK V.
CHESTER, individually and as Village
Attorney of the Village of Norridge,

Defendants.

No. 11-CV-03871

Hon. Charles R. Norgle, Sr.
U.S. District Judge

Hon. Morton Denlow
U.S. Magistrate Judge

DEFENDANTS' MOTION FOR LEAVE TO FILE OVERSIZED BRIEF

NOW COME Defendants, by their counsel, and move this Court for leave to file an oversized brief in support of their Motion to Dismiss, and in support of that motion, state the following:

1. Plaintiffs have filed an eighteen-count Amended Complaint challenging various actions of defendants in connection with plaintiffs' application for a license to operate a firearms sales business in the Village of Norridge.

2. Plaintiffs' Amended Complaint itself consists of 51 pages. It raises eighteen separate counts, alleging violations of nine constitutional provisions, four federal statutes, and

making nine separate state law claims, seeking both injunctive relief and money damages against eleven defendants.

3. Defendants have filed a Motion to Dismiss, which addresses each of the plaintiffs' claims, including the very unsettled law on the extent to which plaintiffs have a Second Amendment right to operate a firearms sales business.

4. In addition, defendants' Motion to Dismiss raises absolute and qualified immunity, and state law statutory immunity.

5. Because of the length of the plaintiffs' Amended Complaint, the numerous issues and claims raised in that Amended Complaint, and the in-depth discussion and analysis needed to address those claims, particularly the unsettled Second Amendment issues, defendants need to file an oversized brief to adequately respond to the Amended Complaint.

WHEREFORE, Defendants pray that this Court grant leave to file an oversized Memorandum of Law in Support of Defendants' Motion to Dismiss.

/s/ Thomas G. DiCianni

Thomas G. DiCianni (ARDC #03127041)

tdicianni@ancelglink.com

ANCEL, GLINK, DIAMOND, BUSH, DICIANNI & KRAFTHEFER, P.C.

Attorney for Defendants

140 South Dearborn Street, 6th Floor

Chicago, Illinois 60603

(312) 782-7606

(312) 782-0943 Fax

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CERTIFICATE OF SERVICE

The undersigned, one of the attorneys of record herein, hereby certifies that on September 27, 2011, the foregoing **DEFENDANTS' MOTION FOR LEAVE TO FILE OVERSIZED BRIEF**, was electronically filed with the Clerk of the U.S. District Court using the CM/ECF System, which will send notification of such filing to the following:

Walter Peter Maksym , Jr.
2056 North Lincoln Avenue
Chicago, IL 60614-4525
Email: wmaksym@gmail.com

/s/ Thomas G. DiCianni

THOMAS G. DiCIANNI, (ARDC# 03127041)

One of the attorneys for Defendants

ANCEL, GLINK, DIAMOND, BUSH, DICIANNI
& KRAFTHEFER, P.C.

140 South Dearborn Street, Sixth Floor

Chicago, Illinois 60603

Telephone: (312) 782-7606

Facsimile: (312) 782-0943

E-Mail: tdicianni@ancelglink.com